

Remarks

By this Amendment, claims 12-14 and 34 are pending. These claims were indicated as allowable in the most recent Office action, dated August 11, 2004.

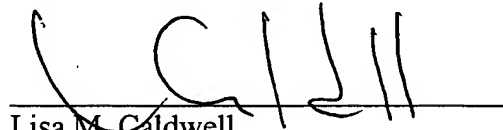
Applicant also notes that the Examiner has dropped all primary rejections based on the Watanabe reference and explicit assertions that the Watanabe reference teaches or suggests detection of a photoacoustic signal. Regardless of the Examiner's remarks in paragraph 18 of the Office action that this issue is now moot, Applicant continues to assert that Watanabe does not teach or suggest an acoustic detector for detecting a photoacoustic signal, as recited in the claims of the application. Applicant notes the Examiner's comments in paragraph 18 implying that the Watanabe reference may teach or suggest detection of a photoacoustic signal, and thus Applicant re-asserts its argument and belief that such a statement or implication is incorrect. The Watanabe reference neither teaches nor suggests detection of a *photoacoustic signal*.

A Notice of Allowance for claims 12-14 and 34 is respectfully requested.

Respectfully submitted,

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By



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